

MINUTES

MANSFIELD PLANNING AND ZONING COMMISSION

Regular Meeting, Monday, May 18, 2009

Council Chamber, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), B. Gardner, J. Goodwin,
R. Hall, K. Holt, P. Kochenburger,

P. Plante, B. Pociask, B. Ryan

Alternates present: M. Beal, G. Lewis, L. Lombard

Staff Present: Gregory Padick, Director of Planning

Chairman Favretti called the meeting to order at 7:08 p.m. If needed, alternates will act in the following order: Lombard, Beal and then Lewis.

Minutes:

5/4/09-Gardner MOVED, Hall seconded, to approve the 5/4/09 Minutes as written. MOTION PASSED UNANIMOUSLY with Kochenburger and Plante noting that they both listened to the tapes.

5/12/09 Field Trip- Ryan MOVED, Beal seconded, to approve the 5/12/09 field trip minutes as written. MOTION PASSED with Beal, Favretti, Gardner, Goodwin, Holt, Lombard and Ryan in favor and all others disqualified.

Zoning Agent's Report:

A. Enforcement Update

Item was noted.

B. Hall Property Old Mansfield Hollow Rd; DeBoer Property, Storrs Rd

Hirsch related that he visited the Hall site today and noted that some progress has taken place but indicated that some truck bodies and piles of metal remain. Hirsch will issue a violation order this week with a deadline date before the next anticipated PZC/IWA field trip associated with the gravel permit renewals. A number of members emphasized that the Town has been very patient with Mr. Hall and that a strict enforcement policy should be followed, including fines for non-compliance. Hirsch had no new information to update regarding the DeBoer site.

C. Gravel Permit Renewals

Holt MOVED, Hall seconded, to schedule a Public Hearing on the Hall and Banis Special Permit Gravel Renewals for 6/15/09. MOTION PASSED UNANIMOUSLY.

Old Business:

1. 4-Lot Subdivision, Hanks Hill & Farrell Rds., Clark Estates Subdivision, File #1280 (M.A.D. 6/24/09)

Padick related that he met with the Town Attorney earlier today and

that staff did not consider it legally appropriate to accept the applicant's current open space dedication and then expect to be able to require an additional dedication in the event Lot 3 is re-subdivided. Potential open space dedication options were discussed including the possibility of requiring a reconfiguration of the applicant's proposal to include an access to Farrell Road. Hall, with assistance from Padick, will draft a motion with open space options for PZC consideration at the 6/1/09 meeting.

Public Hearing:

Special Permit: Expansion of a dwelling unit, 8 Hanks Hill Rd. Block Properties, LLC, File #1272

Chairman Favretti opened the Public Hearing at 7:38 p.m. Members present were Favretti, Gardner, Goodwin, Hall, Holt, Kochenburger, Plante, Pociask, Ryan and alternates Beal, Lewis and Lombard. Padick read the legal notice as it appeared in the Chronicle on 5/6/09 and 5/12/09 and noted his 5/14/09 memo and supplemental information submitted by the applicant at tonight's 5/18/09 meeting, all of which has been distributed to all members.

M. Block, property owner and applicant, explained his building expansion proposal and associated alterations along Hanks Hill Road. After a lengthy discussion, members noted that more specific information needed to be provided on the plans detailing parking, landscaping, retaining walls, deck, fencing and other site work. Block agreed to supplement his application, including engineered details for construction of the retaining wall.

Chairman Favretti noted no further comments or questions from the public or Commission. Holt MOVED, Hall seconded, to continue the Public Hearing until 6/1/09. MOTION PASSED UNANIMOUSLY.

Public Hearing:

Special Permit Application, Efficiency Unit, 135 Mansfield Hollow Rd, A. Ward o/a File #1286

Chairman Favretti opened the Public Hearing at 8:17 p.m. Members present were Favretti, Gardner, Goodwin, Hall, Holt, Kochenburger, Plante, Pociask, Ryan and alternates Beal, Lewis and Lombard. Padick read the legal notice as it appeared in the Chronicle on 5/6/09 and 5/12/09 and referenced his 5/13/09 memo and a 5/13/09 memo from E.H.H.D.

Mrs. Ward, property owner and applicant, was present and addressed questions posed by Holt. Chairman Favretti noted no further comments or questions from the public or Commission. Holt MOVED, Gardner seconded, to close the Public Hearing at 8:20 p.m. MOTION PASSED UNANIMOUSLY.

Favretti noted that a draft motion was available if the PZC wished to act.

Kochenburger MOVED, Holt seconded, that to approve with conditions the special permit application (file #1286), of A. and J. Ward, for an efficiency apartment on property located at 135 Mansfield Hollow Road, in an RAR-90 zone, as submitted to the Commission and shown on undated site and floor plans, and other applicant submissions, and as presented at a Public Hearing on 5/18/09.

This approval is granted because the application, as hereby approved, is considered to be in compliance with Article X, Section M, Article V, Section B, and other provisions of the Mansfield Zoning Regulations, and is granted with the following conditions:

1. This approval is granted for a one-bedroom efficiency unit in association with an existing single-family home having up to three additional bedrooms. Any increase in the number of bedrooms on this property shall necessitate subsequent review and approval from Eastern Highlands Health District and the Planning and Zoning Commission;
2. This approval is conditioned upon continued compliance with Mansfield's zoning regulations for efficiency units, which include owner-occupancy requirements and limitations on the number of residents in an efficiency unit;
3. This special permit shall not become valid until filed upon the Land Records by the applicant.

MOTION PASSED UNANIMOUSLY.

Old Business:

2. Proposed Special Permit Modification, 1559 Stafford Road, Valley View LLC., File #105

Chairman Favretti appointed alternate Lombard to act for Pociask who disqualified himself. Padick briefly reviewed the proposed application and noted his 5/14/09 memo. The applicant related that he plans to address any code issues to bring the apartment to current building code requirements, noting the apartment has been occupied for approximately 12 years.

After a brief discussion, Hall MOVED, Lombard seconded, that the PZC Chairman and Zoning Agent be authorized to approve the 2/12/09 modification request of Valley View LLC for a dwelling unit in the lower level of the existing house on the Valley Mobile Home Park site on Stafford Road. This authorization is subject to the following condition:

1. A Zoning Permit shall be required for the subject dwelling unit in the lower level of the house. In addition, all applicable Health Code, Fire Code, Building Code and Housing Ordinance requirements shall be met for this unit.

MOTION PASSED UNANIMOUSLY.

3. **Subdivision Application, 3 lots, Wormwood Hill Rd, K. Hallock o/a, , File #1285**

Item tabled until the 6/1/09 meeting.

4. **Site Modification Request: Proposed Groundwater Remediation System, 632 Middle Turnpike Merchants Mansfield o/a (CVS), File #1157-2**

Brian McCann, Kleinfelder, reviewed the change in the plans since the 5/4/09 meeting and addressed questions from PZC members. He emphasized that there would be no special dangers if the system malfunctions and that an emergency phone tree system would be in place. Installation work is expected to be completed by the 3rd week of August. There will be no security lighting and the shed will be sound proofed so no noise impacts are expected. After discussion, Gardner MOVED, Holt seconded, that the PZC Chairman and Zoning Agent be authorized to approve the 4/1/09 modification request of Brian McCann of Kleinfelder, INC., for a temporary environmental remediation system at 632 Middle Turnpike (the current CVS site), as described in application submissions including a May 11, 2009 application addendum, site plans dated May 11, 2009, and a 5/13/09 email supplement sent by B. McCann and as discussed at the PZC's 5/18/09 meeting. This authorization is subject to the following conditions:

1. All system installation work, including the service shed and all project restoration work, shall be in accordance with application submissions. Any revisions to approved plans and installation processes must be authorized in advance by the PZC Chairman and Zoning Agent or where deemed necessary the entire PZC. This condition shall be noted on final plans.
2. Final plans shall be revised to incorporate the utility line revisions described in the 5/13/09 email from B. McCann and any landscaping revisions deemed appropriate by the PZC Chairman with staff assistance.

Due to the temporary nature of this project, existing site and neighborhood characteristics and the projects special utility service needs, the PZC waives underground installation across Route 44.

3. Upon completion of system installation work for this project, the Zoning Agent shall issue a Certificate of Compliance and confirm that site restoration and associated landscaping work has been completed as proposed. As appropriate, a cash bond may be required to ensure the restoration of landscape beds and lawn areas.

MOTION PASSED UNANIMOUSLY.

5. **Application to Amend the Zoning Map and Special Permit Application for a Proposed 37 Unit Multi-Family Development, Whispering Glen, LLC, 73 Meadowbrook Lane, PZC Files #1283 and #1284**

Item tabled pending continued public hearing on 6/1/09.

6. **Draft Revisions to the Zoning and Subdivision Regulations File #907-31**

Item tabled pending public hearing on 6/15/09.

7. **Potential Re-Zoning of the "Industrial Park" zone on Pleasant Valley Road and Mansfield Avenue**

Padick briefly summarized a previous discussion and noted that Commissioner Holt has arranged a meeting with a representative of the CT. Farmland Trust for June 10th. A fall public hearing is now anticipated for any zoning and regulation revisions to the current Industrial Park Zoning.

8. **Notice of EIE: Proposed UConn Academic Buildings**

Padick briefly reviewed the subject project and the Town Council's agreement to authorize the Mayor to co-endorse a letter with the PZC Chairman. The letter to be finalized on 5/21/09 following the 5/20/09 public hearing and the 5/20/09 Conservation Commission meeting. After a brief discussion, Hall MOVED, Gardner seconded, that the Planning and Zoning Commission authorize its Chairman to co-endorse with the Mayor, comments on the April 2009 Draft Environmental Impact Evaluation of two proposed UConn academic buildings. The Town comments will include recommendations cited in the Director of Planning's 5/6/09 report, supplemental comments from the Town Council's 5/11/09 meeting and will consider any additional suggestions made by the Conservation Commission or raised at the 5/20/09 public hearing on the EIE. MOTION PASSED UNANIMOUSLY.

New Business:

1. **New Special Permit Application, Efficiency Unit, 19 Hillside Circle, J. Watt & A. Welch owners, B. Briggs applicant, File #1287**

Holt MOVED, Holt seconded, to receive the Special Permit application (file # 1287) submitted by William Briggs for a single-family addition with an efficiency unit, on property located 19 Hillside Circle owned by J. Watt and A. Welch, as shown and described in application submissions, and to refer said application to the staff, for review and comments, and to set a Public Hearing for 6/15/09.

MOTION PASSED UNANIMOUSLY.

2. **PZC Member Vacancy: Mansfield Community Quality of Life Committee**

Favretti noted the vacancy and asked members to consider joining this Committee. There were no volunteers and the item was tabled until the next meeting.

3. **AGvocate Program**

Padick briefly reviewed the subject program and potential Mansfield participation. After a number of members voiced their support, Holt MOVED, Hall seconded, that the PZC Chairman be authorized to endorse and support Mansfield's participation in the Eastern Connecticut AGvocate program, sponsored by the Town of Thompson and Eastern CT RC&D. MOTION PASSED UNANIMOUSLY.

Reports of Officers and Committees:

Holt reported that a revised draft of the Regional Land Use Plan will soon be distributed and a July Public Hearing is planned.

Communications and Bills:

Noted.

Adjournment:

Favretti declared the meeting adjourned at 9:07 p.m.

Respectfully submitted,

Katherine K. Holt, Secretary